REMARKS

Reconsideration and withdrawal of the examiner's claim objections and rejections under 35 USC §§ 112, 102 and 103 is respectfully requested in view of the above amendments and the following remarks. The applicant would like to thank the examiner for his time and kind cooperation in this matter.

35 USC § 112

The examiner has rejected claim 14 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, asserting that claim 14, which is dependent on claim 9, states that coated granules are granules according to any of claims 1-5. This renders this claim indefinite. In response, applicants have amended claim 14 to address this rejection.

35 USC § 102

The examiner has rejected claims 1-3, 5, 6 and 8 under 35 U.S.C. 102(b) as being anticipated by Velazquez, et al., (US 6,458,754 B1). Applicants respectfully traverse this rejection.

Applicants respectfully assert that a proper prima facie case under § 102(b) is not made out by Valezquez, et al., because Valezquez fails to disclose either explicitly or inherently a granulate detergent product where the granulates are coated with excapsulated perfume and not merely admixed together.

Velazquez, et al., relates to the encapsulation of HIA impact accords (which are simply perfume blends) using starch. The examples use spray drying to obtain a dry product rather than a slurry as is used in the present invention to form the claimed coated granulate. The incorporation of the *dry* product into the detergent product is discussed in column 10, at lines 45-48, and as is described is simply dry-mixed in. Applicants respectfully assert that such process will not give the claimed coated granulates of the present invention, but will give instead a mixture of granulates and encapsulates as would be apparent to the skilled person.

35 USC § 103

The examiner has rejected claims 4 and 7 under 35 U.S.C. 103(a) as being unpatentable over Velazquez, et al., (US 6,458,754 B1), as applied to claim 1 above, and further in view of Walley, et al., (US 5,066,419). Applicants respectfully traverse this rejection.

Applicants respectfully submit that a proper prima facie case under § 103(a) has not been made out for claims 4 and 7 for the reasons discussed above since claims 4 and 7 depend from claim 1.

Walley, et al., relates to encapsulated perfumes which are formed in a slurry (See Walley, ex. 1). At column 10, line 35ff it is explained how this slurry is used – either being 'admixed and *dried with* other components of the granular detergent formulations' or 'washed and separated and dried if desired'. In example II (see 11/59ff) the perfume particles are actually formed in separate granules which are mixed in with the detergent granules – there is no teaching of coating the detergent granules with a layer containing encapsulates. In example IV the particles are just mixed in (it is not clear whether they are dried first) – and in example VIII they are 'dry blended'. Walley therefore does not disclose either the coated particles or the spraying process of the present invention as claimed as would be apparent to the skilled person.

The examiner has rejected claims 9-15 under 35 U.S.C. 103(a) as being unpatentable over Valezquez, et al., (US 6,458,754 B1) in view of Walley, et al., (US 5,066,419). Applicants respectfully traverse this rejection.

Independent claim 9 is directed to a process of making a granulate detergent product where the granulates are coated with an encapsulated perfume. Applicants respectfully submit that a proper prima facie case under § 103(a) has not been made out for the reasons set forth above for independent claim 1 and its dependent claims.

Relevant art cited

The examiner asserts that the prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In response, applicants respectfully submit that this prior art, either considered alone or in combination, does not remedy the deficiencies of Valezquez and Walley with respect to the instant claims.

CONCLUSION

In summary, claim 2 has been amended to delete preferable expressions and claim 14 has been amended to address the § 112 objection. No new matter has been added.

In light of the above remarks, applicants submit that the claims now pending in the present application are in condition for allowance. Reconsideration and allowance of the application is respectfully requested. The examiner is invited to contact the undersigned if there are any questions concerning the case.

Respectfully submitted,

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